

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN JOAN ANDERSEN**, on January 20, 2003 at 3:00 P.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Joan Andersen, Chairman (R)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Larry Lehman, Vice Chairman (R)
Rep. Norman Ballantyne (D)
Rep. Gary Branae (D)
Rep. Nancy Fritz (D)
Rep. Carol Gibson (D)
Rep. Verdell Jackson (R)
Rep. Bob Lake (R)
Rep. Bob Lawson (R)
Rep. Joe McKenney (R)
Rep. Clarice Schrupf (R)

Members Excused: Rep. Norma Bixby (D)
Rep. Pat Wagman (R)

Members Absent: None.

Staff Present: Eddy McClure, Legislative Branch
Mari Prewett, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. The time stamp for these minutes appears at the end of the content it refers to.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 244, 1/14/2003
Executive Action: HJ 5; HJ 6

EXECUTIVE ACTION ON HJ 5

Motion: REP. LAWSON moved that HJ 5 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HJ 5 DO PASS AS AMENDED.

Discussion:

Eddye McClure, Legislative Services explained the amendments attached as Exhibit 1. She stated that **REP. LEWIS** had asked that where the resolution said City of Helena to Lewis and Clark County. She further stated that there was one other amendment as **REP. LEWIS** had stated that the university would own the building. She explained that the bill states on the last line that the Board of Regents would own the building. **Ms. McClure** stated that eventually the university system would own the building but not until the bonds were retired. **Ms. McClure** stated that this was clarified in amendment number 2 and number 5 showing that Lewis and Clark County would issue the bonds, lease the building to the Board of Regents until the bonds were retired then the plan would be to transfer the title of the building to the Board of Regents and eventually the university system would own the building.

EXHIBIT (edh11a01)

REP. FRITZ asked **Ms. McClure** if that meant the state owned the building. **Ms. McClure** stated the county would own the building.

REP. FRITZ asked **Ms. McClure** whether the county or the state was issuing the bonds. **Ms. McClure** answered the county would issue the bonds. **Ms. McClure** stated that **REP. LEWIS** was changing the City of Helena to Lewis and Clark County and that was why it was a resolution. She further stated that the Board of Regents has the authority to work with cities and towns to contract for bonds. She further stated that likewise cities and local governments have bonding authority of their own. **Ms. McClure** went on the state that because there was no authority for long range building or general obligation bonds this was done as a resolution to urge the county to go forth and issue the bonds.

Vote: Motion that **AMENDMENTS TO HJ 5 DO PASS** carried 14-0 by voice vote.

Motion/Vote: REP. LAWSON moved that HJ 5 DO PASS AS AMENDED.
Motion carried 14-0 by voice vote.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 8.7}

EXECUTIVE ACTION ON HJ 6

Motion: REP. JACKSON moved that HJ 6 DO PASS.

Discussion:

There was a general discussion about sending the chart which was presented by Mr. Runkel to Washington, D.C. with the resolution if HJ 6 passed. It was further discussed to whom the resolution was sent. It was determined that it would eventually be sent to the Montana's congressional delegation and to PRESIDENT BUSH. It was also determined that a request would need to be made to Secretary of State Brown's office for the chart to be sent with the resolution.

Vote: Motion that HJ 6 DO PASS carried 14-0 by voice vote.

CHAIRMAN ANDERSEN asked REP. JACKSON if he would like to take a vote on the committees concurrence with sending the chart with the resolution to congress. REP. JACKSON stated that since there could be some unintended consequences that he had not thought of he would ask the committee to concur. He further stated that if the committee did not object to his suggestion he would approach Secretary of State, Bob Brown, with the idea to see if he felt it would be appropriate to send the chart along with the resolution. CHAIRMAN ANDERSEN stated that since the committee had concurred, REP. JACKSON would be the person to handle getting the chart attached to the resolution.

{Tape: 1; Side: A; Approx. Time Counter: 8.7 - 12.6}

HEARING ON HB 244

Sponsor: REP. CHRISTOPHER HARRIS, HD 30, BOZEMAN

Opening Statement by Sponsor:

REP. HARRIS stated that he had some interesting news on HB 244. He further stated that the bill was requested by Montana State University President, Jeff Gamble. He went on to say that the bill would allow the leveraging of out-of-state tuition in order to subsidize Montana students. REP. HARRIS stated the bill was discussed last week at the Board of Regents meeting and Mr. Gamble reported to him that the Board of Regents had given Mr. Gamble and the University of Montana President all of the authority necessary to set out-of-state tuition. He further stated that he had been assured that this could be accomplished

in total compliance with existing law and regulations. **REP. HARRIS** stated that he wanted to withdraw the bill and have it tabled as the commission of the bill had already been accomplished.

CHAIRMAN ANDERSEN asked **REP. HARRIS** if the committee should keep the bill in case there were further developments. **REP. HARRIS** answered that he had asked that question of President Gamble and had been told that there would be no backtracking on this. The decision was final and the bill was not necessary.

EXECUTIVE ACTION ON HB 244

Motion/Vote: **REP. ANDERSEN** moved that **HB 244 BE TABLED**. Motion carried 14-0 by voice vote.

ADJOURNMENT

Adjournment: 3:18 P.M.

REP. JOAN ANDERSEN, Chairman

MARI PREWETT, Secretary

JA/MP

EXHIBIT (edh11aad)